RAJYA SABHA

Wednesday, 27th November,

Agrahayana, 1918 (Saka)

The House met at eleven of the clock Mr. Chairman in the Chair MEMBERS SWORN

1. Shri Yoginder Kumar Bhagatram Alagh (Gujarat)
2. Shri Saif-ud-Din Soz (Jammu and Kashmir)
3. Shri V.P. Duraisamy (Tamil Nadu)
4. Shri Manohar Kant Dhyani (Uttar Pradesh)

ORAL ANSWERS TO QUESTIONS

Licences of Weapons for Members of Parliament

*81. SHRI V. RAJESHWAR RAO:
DR. SHRIKANT RAMCHANDRA JICHKAR:†

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Licences for Prohibited Bore Weapons can be issued to Members of Parliament if their cases are recommended by the local competent police authorities;

(b) if so, the policy of Government in this regard; and

(c) whether Government would expedite such pending cases?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): (a) and (b) As per the present policy of the Government of India, licences for possession of prohibited bore weapons may be granted to Members of Parliament, Members of State Legislatures and other members of Public facing grave threat from terrorist elements, to Defence allottees and on family heirloom basis. Requests in prescribed form recommended by the local licensing authority/concerned State Government/UT Administration are considered in the light of said policy guidelines, by the Central Government in the Ministry of Home Affairs as licensing authority.

(c) As and when such requests are received, the same are processed on priority basis.

DR. SHRIKANT RAMCHANDRA JICHKAR: Sir, I am happy that the hon. Minister has made a categorical statement elucidating the policy of the Central Government in this respect. Part (C) of my question is about pending cases. I want to know whether cases are pending, if so, how many cases are pending and whether these cases will be expedited.

SHRI INDRAJIT GUPTA: Sir, if the hon. Member is interested, apart from the pending cases, I can also tell him how many licences have been granted for prohibited bore weapons. Otherwise, all I can say is that every possible step is being taken to see that pending applications are not delayed and they are not kept pending for a long time. We depend very much on the assessment of the threat perception, which has to be done through the intelligence agencies. Sometimes there is a little delay in receiving those reports of assessment, but as soon as the reports are received we take immediate action. So, about cases which are pending, I cannot give him the exact number just now. Those cases will be disposed of as soon as possible.

DR. SHRIKANT RAMCHANDRA JICHKAR: Sir, several publicmen, Members of Parliament and MLAs are given police security at the local level by the local police, and the security cover changes with the change of government: Many times, if a Government belonging

to antother party comes, then the security personnel are withdrawn. These things happen at the local level. Huge expenses are being incurred on providing police security to such publicmen at the local level. I am not talking about NSG and SPG at the higher level, but MPs and MLAs at the local level. I would like to know whether Government is contemplating reduction in the expenditure on security by providing such licences.

SHRI INDRAJIT GUPTA: Sir, these two questions are not related to each other: it is not a question of expenditure. As far as issuing of licences is concerned, the Government policy has always been and still is to impose certain restrictions, and Members of Parliament, in this respect, are not considered as a separate category by themselves. All publicmen, including Members of Parliament, including Members of State Legislatures, etc., including even Defence personnel, are considered for these licences provided they believe that they are suffering from a very severe type of threat perception. And those threat perceptions are then verified through the intelligence agencies.

I agree that a lot of money is being spent both at the Central level and at the State level on providing security cover to people who are facing threat perceptions. But this problem cannot be solved by granting more licences, because prohibited bore weapons and non-prohibited bore weapons, which are quite plentiful nowadays, have in the recent past become, I should say, very easily available; even in the open market they are being sold. So, we have to be cautious, and we have to place some restrictions. The State Governments also proceed on the basis of the guidelines which have been laid down.

SHRI ASHOK MITRA: Sir, I may be in danger of becoming unpopular with some of my colleagues, but I thought I should use this opportunity to raise a basic issue.

We claim the heritage of Mahatma Gandhi. We, at least some of us, on and off talk about non-violence, and we would be altogether on a wrong track when we claim that we must have more guns and weaponry to protect us. I, therefore, ask humbly of the Home Minister whether he has any specific proposal in mind to cut through this demonology of threat perception on the

part of some people who happen to be a little more privileged in society than others.

SHRI INDRAJIT GUPTA: Sir, threat perception is something which is pleaded by many people themselves even before the claim is verified by any intelligence agency or any other agency. There are so many people who are coming everyday to our Ministry and saying that because they perceive that they have got a serious danger to themselves, they should be provided with such and such type of security cover. All this costs a lot of money, but I am not going into the expenditure aspect of it at the moment. Whenever we receive applications of this sort, they are referred to the Intelligence Bureau for verifying- and then reporting to us on the degree of the threat perception.

I agree with the hon. Member, and there is a complaint also as far as the public is concerned, that many people who may not really be facing very serious threats are being provided with security cover. If we do not provide them with security cover, we are getting constant complaints which are repeated over and over again. If something happens by chance to any of them whom we have not provided with security, naturally, we also will get into a serious trouble.

But, I do agree, and I do feel from an assessment of the various lists of people who are coming to our Ministry and are claiming secuirty cover, that some of them at least are not really justified. Recently, in the last three or four months, we have tried to do some kind of

rationalisation. We have reduced the security cover category in some cases. We have withdrawn them altogether in a very few cases. But, even where we have reduced the catgory of security, I am afraid, the persons concerned do not take it very charitably, and they are constantly accusing and criticising the Ministry for ignoring the threat perception to them. So, unless some new guidelines are evolved, which, I hope, will be done in due course, we cannot take a firm stand on this question.

I think it is not necessary to invoke Mahatma Gandhi's name in this connection. We know how he met his end and at whose hands he met his end. I don't suggest that he should have had the SPG cover, but the fact remains that there is threat peception in this country, which has increased over the last few years. The only thing is that while deciding about the cases which should be considered and in which way they should be considered, we should have some definite guidelines regarding perception of threat. We are trying to work out something accordingly.

SHRI ASHOK MITRA: Thank you, Mr. Minister.

SHRI K.R. MALKANI: Sir, my question is very basic, why should Prohibited Bore Weapons be made available to anybody, MP or otherwise? Why are we trying to put this small group of people on a pedestal? Does it not amount to aiding and abetting the spread of arms? There are people in the country who want security just to impress upon everybody that they are important. I would beg of the hon. Home Minister to consider whether hundreds of such people who are getting security professing that their life is in danger be asked to pay at least half the cost of the security. Yes, this should exclude very important people, whose life is really in danger and whom the enemies of the country would like to kill to destablise the country. Even Salman Rushdie had to pay for security in U.K., although his life was in real danger. What is this great idea of Tom Tuckers getting security? I would also like to know how many people have been given this Prohibited Bore Weapon.

SHRI INDRAJIT GUPTA: Sir, under the Arms Act and the Arms Rules, fire arms have been divided broadly into following three categories. Prohibited arms, which are automatic fire arms generally, semi-automatic fire arms and Prohibited Bore Fire arms. The term Prohibited Bore has not actually been defined anywhere, but this term is generally used by the Central Government to refer to servic pattern weapons, which are in use by the military forces, para-military or police forces and possession of these by the members of the public has been restricted. In the instructions which were issued as long ago as in October, 1947, it was stated: "Unless the District Magistrate is absolutely sure of the credentials and reliability of an applicant for a Prohibited Bore licence and has some very special reason for grant of such a licence, he should, as a matter of course, refuse to sanction." This direction, I think, is in force even at this moment.

The Ministry of Home Affaris since 8-8-1987 has become the sole licensing authority in respect of the prohibited bore fire arms and the licences for such fire arms are not granted to the general public except in the following cases: "Where an individual faces a grave and imminent threat to his life, particularly from terrorists." This is a matter of perception and we have to decide how this* perception is to be verified-. At the moment, as I said, it is being done

† The Question was actually asked on the floor of the House by Dr. Shrikant Ramchandra Jickkar.

through our intelligence agencies, particularly through the DIG Police (Intelligence Branch). Second, retired or serving officers of the Armed Forces, who were allotted such weapons prior to 25th June, 1982. Third, the legal heirs of the deceased licensees, who want to keep them on family heirloom on sentimental grounds.

In pursuance of this above policy, we have till date granted 854 Prohibited Bore Arms licences to the categories of the people, whom I have mentioned earlier. Categorywise break-up also of the licences granted under these categories during 1995-96 is as follows. This is from 1st January, 1995 to 31st December, 1995. Forty-nine licences were issued on the basis of the threat perception, 69 on the basis of family heirlooms and 22 licences were given to Defence allottees. Altogether 140 licences were granted. Out of these two licences were issued to two Members of Parliament and two to MLAs. These four—two to Members of Parliament and two to MLAs—were granted on the basis of threat perception. From 1.1.1996 to 20.11.1996 31 licences on threat perception were given and 56

licences were given on family heir-loom basis, 11 licences were given to defence allottees. That is to say 98 licences were given. Out of these, 2 licences were granted to Members of a Legislative Assembly.

Regarding the other suggestion about asking the licensees to bear a part of the cost, this matter would have to be examined further. We have not taken any decision in this regard.

SHRI BANGARU LAXMAN: Mr. Chairman, Sir, protection is being provided even to those who are indulging in group clashes. Some groups are organising senas to wage a war between their rivals. Even such people are being provided protection. Protection is being provided to political groups. Even on petty matters, groups are being formed. Criminals are coming together and forming an association. Then, their leaders are seeking protection from the police. Would the Home Minister be pleased to state whether any guidelines have been issued with regard to providing police protection to such groups? I would like to know from the Home Minister whether police protection is provided to anybody who asks for it or some discretion is exercised while granting it because persons involved in a number of cases have gone to courts. For example, in Rayalaseema, Andhra Pradesh this kind of clashes do take place regularly. But the District Collector or the district administration or the local administration refuses to provide police protection. Those persons are going to courts and seeking protection. If this kind of people are provided protection, then, the attention of the police towards law and order and on general issues would not be there. Therefore, I would request the Home Minister to clarify whether any fresh guidelines have been issued in this regard.

SHRI INDRAJIT GUPTA: Mr. Chairman, Sir, this question relates to a specific point. That is to say, issuing of licenses for prohibited bore weapons, not to the general question of providing police security or other security measures. As far as I was able to understand him, he referred to the activities of certain criminals, whether individuals or groups who may be involved in violence or some type of terror and all that in various localities. As far as they are concerned, obviously, there is no question of providing police protection or security cover to such people who are known or identified to be criminal elements. In such cases if they are given protection which the hon. Member considers to be totally unjustified, I would request him to give me some specific examples in which we can hold an inquiry; otherwise, we have to depend on the District Magistrate, the District Collector and the local

authorities, including the police to make an inquiry and then recommend whether they deserve to get security or not.

MR. CHAIRMAN: Q. No. 82, Shrimati Veen Verma.

SHRI SURINDER KUMAR SINGLA: We would also like to put supplementaries on this question because this is an important question.

MR. CHAIRMAN: We have taken nearly half an hour on this question.

SHRI SURINDER KUMAR SINGLA: In Punjab the threat perception is a reality.

MR. CHAIRMAN: I called Q. No. 82.

Indo-Pak Relations

*82. SHRIMATI VEENA VERMA:†
SHRI RAJUBHAI A. PARMAR:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the Pak Government's response to a number of unilateral steps taken and proposed to be taken by India to improve relations with that country, indicating precisely the Indian Government's offer and the Pak Government's item-wise response thereto; and

(b) whether the Pak response is favourable to improve bilateral relations with that country?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI I.K. GUJRAL): (a) Government are following a policy of encouraging the people-to-people contacts with people of Pakistan. As part of this policy Government has unilaterally increased the number of visas being issued to Pakistan nationals desiring to visit India. Visits by intellectuals, scholars, journalists etc, to India are also facilitated. Government are exercising restraint in responding to polemical utterances from across the border.

(b) The Pakistan regimes continue to discourage the people-to-people contacts and also sustain their "hate-India" policies.

SHRIMATI VEENA VERMA: Sir, much water has flowed under the bridge since an offer was last made by India to resolve all issues with Pakistan bilaterally through dialogue. As much as the entire regime in Pakistan has been changed with the dismissal of the Government and dissolution of the Legislature in Pakistan and the replacement of the Bhutto Government with the interim Government headed by Prime Minister Miraj Khalid, I would like to know whether any fresh initiative has been made with the new regime by way of relaxing visa restrictions to enable people-to-people interaction and exchange of presspersons and experts for creating a wholesome atmosphere for improving the relationship and whether instead of responding positively, Pakistani intelligence and security men had physically assaulted an Indian Embassy staffer, Mr. Ashok Waho, and his family and if so, what the Government reaction thereto is and what steps have been taken in this regard.

SHRI I.K. GUJRAL: Sir, so far as the change of regime in Pakistan is concerned, we have taken note of that. But there is hardly any change in policy on the part of Pakistan. We have noticed that some statement was made by the present Prime Minister. But that was a press statement which was responded to by our spokesman. And we have said that the offer of dialogue at the bilateral level and official level stands. There has been no response yet. So far as the other dimensions of the issue are concerned, the hon. Member has asked me about the two officials of the Indian Embassy who were manhandled. Separately, I have al-

† The Question was actually asked on the floor of the House by Shrimati Veena Verma.